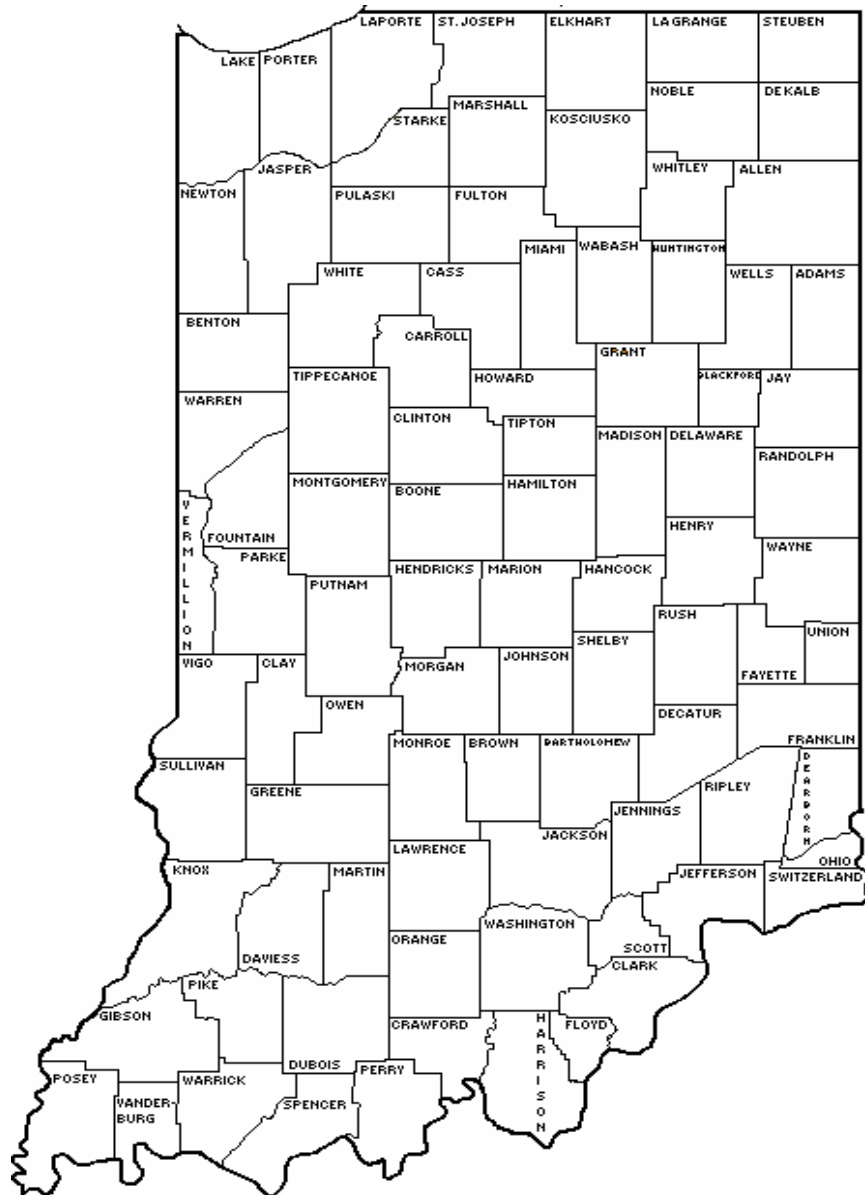


INDIANA DEPARTMENT OF HOMELAND SECURITY

APPLICANT BRIEFING SNOW EMERGENCY HANDBOOK

UPDATED JANUARY 2006



**DHS GUIDE TO SNOW EMERGENCY FOR THE
PUBLIC ASSISTANCE/ INFRASTRUCTURE SUPPORT PROGRAM**

The Public Assistance Program

Program Objectives

The objective of the Public Assistance Program is to provide assistance to states, local governments, and selected nonprofit organizations for the alleviation of suffering and hardship resulting from major disasters or emergencies declared by the President. This is a cost share program. The Federal Government provides 75% and the local governmental share is 25% of eligible reimbursable disaster costs. Costs under \$1,000 per project are not eligible.

FEMA POLICY: Response and Recovery Policy Number 9523.1 Snow Assistance Policy – see Table of Contents for location in booklet.

The basic assumption of Federal disaster assistance is that it is a **supplement** to existing resources. This means that State and local governments must use all available resources towards the disaster before Federal disaster assistance will be available.

FEMA will provide assistance for a continuous 48-hour period to allow time for eligible applicants to address the most critical emergency needs. The 48-hour period for snow removal assistance may begin at a time other than when the storm actually began. Each applicant will designate the beginning of the 48-hour period.

WHO IS ELIGIBLE

A. State and Local Governments, and Special Districts

- **Local Governments**

Any county, city, town, district, or other political subdivision of any state and includes any rural community, unincorporated town or village, or other public entity for which an application for assistance is made by a state or political subdivision thereof.

- **Other Political Subdivisions**

Other state and local political subdivisions may be eligible if they are formed in accordance with state law as a separate entity and having taxing authority. These include, but are not limited to, school districts, irrigation districts, fire districts, and utility districts.

B. Private Nonprofit Organizations

All facilities must provide an essential governmental service and be open to the general public.

1. **Educational Institutions**

- A. Colleges and universities
- B. Parochial and other private schools
- 2. Utility

Systems of energy, communication, water supply, sewage collection and treatment, or other similar public service facilities.
- 3. Emergency

Fire Protection, ambulance, police, rescue and similar emergency services.
- 4. Medical

Hospital, outpatient facility, rehabilitation facility, or facility for long-term care for mental or physical injury or disease.
- 5. Custodial Care

Homes for the elderly and similar facilities that provide institutional care for persons who require close supervision, but do not require day-to-day medical care.
- 6. Other Essential Governmental Service Facilities

Museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities that provide health and safety services of a governmental nature. Health and safety services are essential services that are commonly provided by all local governments and directly affect the health and safety of individuals. Low-income housing, alcohol and drug rehabilitation, programs for battered spouses, transportation to medical facilities, and food programs are examples of health services.

GENERAL WORK ELIGIBILITY

A. An Eligible Item of Work Must

- Be required as the result of a major disaster event,
- Be located within a designated disaster area, and
- Be the legal responsibility of an eligible applicant.

B. Other Federal Agency (OFA) Programs

FEMA will not provide assistance when another federal agency has specific authority to restore facilities damaged by a major disaster.

C. Negligence

No assistance will be provided to an applicant for damages caused by its own negligence. If negligence by another party results in damages, assistance may be provided on the condition that the applicant agrees to cooperate with FEMA in all efforts to recover the costs of such assistance from the negligent party.

D. Restrictions

1. Alternative Use Facilities

If a facility was being used for purposes other than those for which it was designed, restoration will only be eligible to the extent necessary to restore the immediate pre-disaster alternative purpose.

2. Inactive Facilities

Facilities that were not in active use at the time of the disaster are not eligible except in those instances where the facilities were only temporarily inoperative for repairs or remodeling, or where active use by the applicant was firmly established in an approved budget, or where the owner can demonstrate to FEMA's satisfaction an intent to begin use within a reasonable time.

3. Routine maintenance is not eligible.

CATEGORY B

EMERGENCY PROTECTIVE MEASURES

A. General

- Measures to save lives, to protect public health and safety, and to protect improved property, are eligible. In order to be eligible, emergency protective measures for property must eliminate or lessen immediate threats of significant damage to improved public or private property through measures that are cost-effective.

PERMANENT RESTORATION OF FACILITIES

(Not applicable for a Snow Emergency)

COST ELIGIBILITY

FORCE ACCOUNT COST

A. Personnel

Reimbursement of salaries and wages (including regular time, overtime, fringe benefits, and compensatory time) of employees will be paid on eligible disaster permanent work. **For emergency work, only overtime of regular employees plus all time of extra hires will be paid.** For a Snow Emergency only emergency work is applicable.

B. Applicant-Owned Equipment

Reimbursement for equipment used on eligible disaster-related work is based on the FEMA rate schedule or the applicant's established rates, whichever is lower, unless the applicant's rates are considerably lower and the applicant certifies that the rates do not reflect actual costs. A state schedule may be accepted for applicants who have established and used the schedule for normal operations before the disaster, up to \$75 per hour.

Also see **Response and Recovery Policy Number 9525.8 Damage to Applicant-Owned Equipment** (See Table of Contents)

C. Materials

Costs of materials and supplies used in eligible disaster-related work are eligible.

CONTRACT COSTS

Reasonable contract costs, including equipment rental, for eligible disaster-related work are eligible. Remember to follow State procurement/bid procedures for emergency events. (Contact at least 2 bidders by telephone and keep records.)

ADMINISTRATIVE COSTS

Subgrantee's administrative allowance is based on the following percentages of net eligible costs.

- First \$100,000 3%
- Next \$900,000 2%
- Next \$4,000,000 1%
- Over \$5,000,000 ½%

Insurance

- Actual or anticipated insurance recoveries shall be deducted from otherwise eligible costs.
- When insurance is required as a condition of approval for projects amounting to \$5,000 or more, the state must provide FEMA with acceptable assurances that the applicant has obtained and will maintain insurance for the approved damaged facility or piece of equipment.
- No assistance will be provided for any facility for which assistance was previously received unless the insurance was obtained and maintained as required.

APPLICATION PROCESS

Request for Public Assistance

The Request for Public Assistance (RPA) form must be submitted by the applicant to the state within 30 days of designation of an area for each applicant requesting assistance. This should be done during the **Applicant Briefing Meeting**. Private Non-Profit (PNP) organizations must also submit a copy of their Tax Exemption Certificate and Organization Charter or by-laws, along with the RPA Form.

Applicant's Agent

The Applicant's Agent is the person authorized by the applicant on the Request for Public Assistance (RPA) as the official single point of contact for all Public Assistance activities and is responsible for all phases of subgrantee administration. If the applicant needs to change their Applicant Agent or address, they must resubmit to the State (DHS) a new RPA listing the change and effective date.

Applicant Briefing Meeting

The County EMA Director will notify applicants in their counties of the date and time of the Applicant Briefing Meeting for their area. Some Applicant Briefing Meetings may be held at the same time as the Kickoff Meeting.

Kickoff Meeting

FEMA will contact applicants to set up kickoff meetings after the Request for Assistance form is processed. Bring your projects, questions and cost documentation to this meeting.

Project Funding

- Small Projects-Approved estimate is less than \$57,500

Final payment of the federal share may be made by the grantee upon approval of the project by FEMA.

- Large Projects-Approved estimate of \$57,500 or more

Payment will be made based upon state law, 44 CFR Part 13 and 31 CFR Part 205 and the approved State Administrative Plan.

Use of Local Firms and Individuals

To assist in economical recovery of a disaster area, FEMA recommends that preference be given, to the extent practicable, to organizations, firms and individuals who reside or do business primarily in the area affected by the disaster and who have appropriate contracting capability. Local preference should be mentioned in the invitation for bids and requests for proposal. **Remember all State and Federal bid requirements must be followed to receive reimbursement.**

Time Limits for completion of Work

- Debris removal 6 months
- Emergency work 6 months

Documentation

All disaster costs must be supported by documentation, **including timesheets for personnel, equipment use records, invoices for materials, and all contracted documents related to work accomplished by contracts.** See Applicant Record-Keeping Forms & Instructions. The FEMA 2005 Equipment rate schedule can be downloaded or printed from FEMA's website: <http://www.fema.gov>. (also see Table of Contents) The completed and signed P-4 will be required for disaster project payment and closeout. For more information, FEMA's Applicant Handbook and Public Assistance Guide is available for downloading or printing at the same site.

APPEALS

1. The subgrantee may appeal any determination related to Federal assistance including, but not limited to, time extension denials, eligibility, and approved costs.
2. The subgrantee's appeal shall be made in writing and submitted to the grantee within 60 days after receipt of notice of the action which is being appealed. The appeal must contain documented justification supporting the subgrantee's position.
3. The grantee shall review the appeal, make additional investigations as necessary and forward the appeal with a recommendation to FEMA within 60 days.

4. FEMA shall review the appeal and notify the grantee within 90 days following receipt of an appeal as to the disposition of the appeal or if more information is needed.
5. If the FEMA region denies an appeal, the subgrantee may submit a second appeal within 60 days through grantee and region to the FEMA Associate Director.
6. The Associate Director shall render a determination on the appeal within 90 days following receipt of the appeal or shall request additional information if necessary.
7. If the Associate Director denies an appeal, the subgrantee may submit a third appeal to the FEMA Director through the grantee and FEMA region within 60 days of the Associate Director's denials.
8. The Director shall render a determination on the subgrantee's appeal within 90 days following receipt of the appeal or may request additional information if necessary.

AUDITS

- A. State, Local governments and Non-Profit organizations which expend \$300,000 or more in total Federal assistance during a fiscal year, shall have an audit performed in accordance with the Single Act of 1984 and Office of Management and Budget (OMB) Circular No. A-133.
- B. Subgrantees that are required to have audits performed shall report the results of their single audit to DHS in accordance with OMB Circular A-133 for each fiscal year that Public Assistance funding was received and they meet the minimum funding threshold in accordance with OMB Circular A-133.

APPLICANT'S RESPONSIBILITIES OPERATIONS/PROJECT WORKSHEET COMPILATION

In preparation for the Federal-State inspection team applicants should take the following actions in order to expedite the preparation of project worksheets and to help produce more accurate estimates.

1. Actual documented costs for all work completed must be provided to the FEMA team when they arrive. The documented costs for completed work must be broken down by location and by type of work. The documentation must show **force account labor (both straight time & OT), equipment and materials and/or contract costs for your choice of a consecutive 48-hour period.** Remember – for a snow emergency only overtime labor is allowed by FEMA.

2. The local representative must assist with developing Project Worksheet (PW) formulation
3. The FEMA equipment schedule will be used for all force equipment costs unless an established local schedule is less or unless a State schedule is normally used by the applicant.
4. Maintain records to document costs for disaster recovery work.

LARGE/SMALL PROJECT CLOSEOUT DOCUMENTATION

Project closeout documentation (**with the exception of the completed P-4 & possible permits**) will not be required if work is 100% complete and all documentation given to & written up in the PW's by FEMA to their satisfaction before they leave your county.

OTHERWISE:

1. A letter to the State PAO requesting and identifying the overrun/under-run amount requested or that nothing is needed other than closeout with no change in amount. If more than one closeout action is requested, very clearly separate the individual actions requested.
2. A summary sheet identifying documented sub-total cost for various eligible expenses, e.g. force account labor, material, equipment and materials; contract costs by contract.
3. Identify what portion of the total claimed costs were documented as “work completed” at time of inspection.
4. Backup documentation to support the summary sheet totals.
5. Clearly marked and properly collated supporting documentation, e.g. tabbed, stapled or clipped, so that the FEMA closeout person can quickly cross-reference elements and spot-check/verify requested amounts.
6. Documentation to support any of the base data that was used to establish reimbursement basis, e.g. fringe rate calculations or equipment rates.
7. Copies of any and all **required permits**, insurance commitments or any other, not previously submitted verification of satisfaction of any requirements reflected in the PW.
8. Identify if this action closes the applicant for that disaster. **Enclose the completed, signed and dated P-4, Project Completion & Certification Report.**